



Printer's Error
Reprinted
February 19, 2008

ENGROSSED HOUSE BILL No. 1121

DIGEST OF HB 1121 (Updated February 18, 2008 3:00 pm - DI 14)

Citations Affected: IC 14-8; IC 14-9; IC 14-20; IC 14-22.

Synopsis: Natural resources matters. Changes the membership of the board of trustees for the division of state museums and historic sites. Removes the Hungarian partridge from the list of game birds that may be hunted after obtaining a game bird habitat restoration stamp. Allows rifles to be used with certain yearly deer hunting licenses. Removes the condition that a fall turkey hunting season must be established before a license to take an extra turkey is issued. Allows the department of natural resources to issue a duplicate license to any person who has lost a license. (Current law allows only residents to obtain a duplicate license.) Provides that the department of natural resources may contract with the museum foundation or a similar organization interested in promoting the state museum for administration of the state museum, the museum development fund, and the historic sites. Creates the sportsmen's benevolence account within the revolving fund for the fish and wildlife division to be used to encourage citizen participation in feeding the state's hungry through donations of lawfully hunted wild game.

Effective: July 1, 2008.

Bischoff, Leonard

(SENATE SPONSORS — JACKMAN, YOUNG R, LEWIS, WALKER,
LANANE)

January 8, 2008, read first time and referred to Committee on Natural Resources.
January 17, 2008, amended, reported — Do Pass.
January 22, 2008, read second time, ordered engrossed. Engrossed.
January 24, 2008, read third time, passed. Yeas 81, nays 6.

SENATE ACTION

January 29, 2008, read first time and referred to Committee on Natural Resources.
February 11, 2008, reported favorably — Do Pass.
February 18, 2008, read second time, amended, ordered engrossed.

EH 1121—LS 6889/DI 77+



C
o
p
y

Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1121

A BILL FOR AN ACT to amend the Indiana Code concerning
natural and cultural resources.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 14-8-2-103 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 103. (a) "Foundation"
3 refers to the Indiana natural resources foundation.

4 (b) For purposes of IC 14-20-1, "foundation" refers to:

5 (1) the Indiana state museum foundation; or

6 (2) another nonprofit organization established to promote:

7 (A) interest in; and

8 (B) the use of;

9 the Indiana state museum system.

10 SECTION 2. IC 14-9-5-3 IS AMENDED TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2008]: Sec. 3. Money in a fund does not revert
12 to the state general fund at the end of a state fiscal year. ~~until the fund~~
13 ~~contains fifty thousand dollars (\$50,000). Any amount greater than fifty~~
14 ~~thousand dollars (\$50,000) reverts to the state general fund at the end~~
15 ~~of each state fiscal year.~~

16 SECTION 3. IC 14-9-5-4 IS ADDED TO THE INDIANA CODE
17 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY

EH 1121—LS 6889/DI 77+



C
o
p
y

1, 2008]: Sec. 4. (a) As used in this section, "account" means the Indiana sportsmen's benevolence account established by subsection (b).

(b) The Indiana sportsmen's benevolence account is established within the fund for the division of law enforcement to encourage citizen participation in feeding the state's hungry through donations of wild game that has been lawfully hunted.

(c) The account consists of:

(1) gifts;

(2) donations; and

(3) proceeds derived from marketing by the division of law enforcement of goods related to the feeding of the state's hungry through donations of wild game under subsection (a).

(d) The expenses of administering the account shall be paid from money in the account.

(e) The division of law enforcement shall:

(1) conduct a publicity campaign relating to feeding the state's hungry through donations of wild game;

(2) coordinate with nonprofit entities and other entities created with goals of feeding the state's hungry; and

(3) engage in any other activities to further the goals of this section.

(f) The treasurer of state shall invest the money in the account not currently needed to meet the obligations of the account in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the account.

SECTION 4. IC 14-20-1-1.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 1.5. (a) The state museum development fund is established for the purpose of promoting interest in and use of the Indiana state museum.

(b) The state museum development fund shall be administered by the department **or an entity designated by the department**. The state museum development fund consists of revenue generated by exhibit fees, concessions, donations, grants, and other miscellaneous revenue. Money in the state museum development fund at the end of a state fiscal year does not revert to the state general fund.

(c) The balance of the state museum development fund is continuously appropriated and may be used at the request of the department with the approval of the budget agency after review by the budget committee.

SECTION 5. IC 14-20-1-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY

C
o
p
y



1, 2008]: **Sec. 2.5. As used in this chapter, "foundation" refers to:**

- (1) the Indiana state museum foundation; or**
- (2) another nonprofit organization established to promote:**
 - (A) interest in; and**
 - (B) the use of;**
- the Indiana state museum system.**

SECTION 6. IC 14-20-1-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 8. (a) The division consists of the following two (2) sections:

- (1) The section of museums.
- (2) The section of historic sites.

~~(b) The division director may not serve as the head of a section of the division.~~

~~(c) An individual may not serve as the head of more than one (1) section of the division.~~

~~(d)~~ **(b)** There must be a separate line item for each section of the division in each bill appropriating money to the division.

SECTION 7. IC 14-20-1-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 16. (a) The board of trustees for the division of state museums and historic sites is established.

(b) The trustees consist of thirteen (13) members as follows:

- (1) The director of the department, who shall serve as chairman.
- (2) Twelve (12) members appointed by the governor as follows:

(A) One (1) member of the Indiana State Museum ~~Society~~ **Foundation, Inc.**, nominated by the ~~Society~~ **foundation**.

~~(B) One (1) member of the Indiana State Museum Volunteers nominated by the volunteers.~~

~~(C)~~ **(B)** Two (2) members must be recognized supporters of historic sites.

~~(D)~~ **(C)** Not more than seven (7) members may be members of the same political party.

~~(E)~~ **(D)** Not more than two (2) members may be from the same county.

~~(F)~~ **(E)** Each congressional district in Indiana must be represented by at least one (1) member.

(c) The terms of the appointed members shall be staggered.

SECTION 8. IC 14-20-1-26 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: **Sec. 26. (a) The department may, by contract, delegate the management of the:**

- (1) Indiana state museum;**

C
o
p
y



1 (2) state museum development fund; or
 2 (3) historic sites property held and managed by the
 3 department;
 4 to the foundation under terms the department considers advisable.
 5 (b) Under a contract entered into under subsection (a), the
 6 department may:

- 7 (1) provide office facilities and administrative support to the
 8 foundation;
 9 (2) assign department employees to administrative and
 10 program duties at the state museum;
 11 (3) act in an advisory capacity for the foundation; and
 12 (4) accept donations on behalf of the foundation.

13 SECTION 9. IC 14-22-8-2 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 2. As used in this
 15 chapter, "game bird" means pheasant, quail, grouse, **and** wild turkey.
 16 ~~and Hungarian partridge.~~

17 SECTION 10. IC 14-22-12-1, AS AMENDED BY P.L.14-2007,
 18 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2008]: Sec. 1. (a) The department may issue the following
 20 licenses and, except as provided in section 1.5 of this chapter and
 21 subject to subsection (b), shall charge the following minimum license
 22 fees to hunt, trap, or fish in Indiana:

- 23 (1) A resident yearly license to fish, eight dollars and seventy-five
 24 cents (\$8.75).
 25 (2) A resident yearly license to hunt, eight dollars and
 26 seventy-five cents (\$8.75).
 27 (3) A resident yearly license to hunt and fish, thirteen dollars and
 28 seventy-five cents (\$13.75).
 29 (4) A resident yearly license to trap, eight dollars and seventy-five
 30 cents (\$8.75).
 31 (5) A nonresident yearly license to fish, twenty-four dollars and
 32 seventy-five cents (\$24.75).
 33 (6) A nonresident yearly license to hunt, sixty dollars and
 34 seventy-five cents (\$60.75).
 35 (7) A nonresident yearly license to trap, one hundred seventeen
 36 dollars and seventy-five cents (\$117.75). However, a license may
 37 not be issued to a resident of another state if that state does not
 38 give reciprocity rights to Indiana residents similar to those
 39 nonresident trapping privileges extended in Indiana.
 40 (8) A resident or nonresident license to fish, including for trout
 41 and salmon, for one (1) day only, four dollars and seventy-five
 42 cents (\$4.75).

C
o
p
y



- 1 (9) A nonresident license to fish, excluding for trout and salmon,
2 for seven (7) days only, twelve dollars and seventy-five cents
3 (\$12.75).
- 4 (10) A nonresident license to hunt for five (5) consecutive days
5 only, twenty-five dollars and seventy-five cents (\$25.75).
- 6 (11) A resident or nonresident yearly stamp to fish for trout and
7 salmon, six dollars and seventy-five cents (\$6.75).
- 8 (12) A resident yearly license to take a deer with a shotgun,
9 muzzle loading gun, **rifle**, or handgun, thirteen dollars and
10 seventy-five cents (\$13.75).
- 11 (13) A resident yearly license to take a deer with a muzzle loading
12 gun, thirteen dollars and seventy-five cents (\$13.75).
- 13 (14) A resident yearly license to take a deer with a bow and
14 arrow, thirteen dollars and seventy-five cents (\$13.75).
- 15 (15) A nonresident yearly license to take a deer with a shotgun,
16 muzzle loading gun, **rifle**, or handgun, one hundred twenty dollars
17 and seventy-five cents (\$120.75).
- 18 (16) A nonresident yearly license to take a deer with a muzzle
19 loading gun, one hundred twenty dollars and seventy-five cents
20 (\$120.75).
- 21 (17) A nonresident yearly license to take a deer with a bow and
22 arrow, one hundred twenty dollars and seventy-five cents
23 (\$120.75).
- 24 (18) A resident license to take an extra deer by a means, in a
25 location, and under conditions established by rule adopted by the
26 department under IC 4-22-2, five dollars (\$5).
- 27 (19) A nonresident license to take an extra deer by a means, in a
28 location, and under conditions established by rule adopted by the
29 department under IC 4-22-2, ten dollars (\$10).
- 30 (20) A resident yearly license to take a turkey, fourteen dollars
31 and seventy-five cents (\$14.75).
- 32 (21) A nonresident yearly license to take a turkey, one hundred
33 fourteen dollars and seventy-five cents (\$114.75). However, if the
34 state of residence of the nonresident applicant requires that before
35 a resident of Indiana may take turkey in that state the resident of
36 Indiana must also purchase another license in addition to a
37 nonresident license to take turkey, the applicant must also
38 purchase a nonresident yearly license to hunt under this section.
- 39 (22) ~~If a fall wild turkey season is established,~~ A resident license
40 to take an extra turkey by a means, in a location, and under
41 conditions established by rule adopted by the department under
42 IC 4-22-2, fourteen dollars and seventy-five cents (\$14.75).

C
O
P
Y



(23) ~~If a fall wild turkey season is established,~~ A nonresident license to take an extra turkey by a means, in a location, and under conditions established by rule adopted by the department under IC 4-22-2, one hundred fourteen dollars and seventy-five cents (\$114.75). However, if the state of residence of the nonresident applicant requires that before a resident of Indiana may take a turkey in that state the resident of Indiana must also purchase another license in addition to a nonresident license to take a turkey, the applicant must also purchase a nonresident yearly license to hunt under this section.

(24) A resident youth yearly consolidated license to hunt and fish, six dollars (\$6). This license is subject to the following:

(A) An applicant must be less than eighteen (18) years of age.

(B) The license is in lieu of the resident yearly license to hunt and fish and all other yearly licenses, stamps, or permits to hunt and fish for a specific species or by a specific means.

(25) A resident senior yearly license to fish, three dollars (\$3). This license is subject to the following:

(A) An applicant must be at least sixty-four (64) years of age and born after March 31, 1943.

(B) The license is in lieu of the resident yearly license to fish and all other yearly licenses, stamps, or permits to fish for a specific species or by a specific means.

(26) A resident senior "fish for life" license, seventeen dollars (\$17). This license is subject to the following:

(A) An applicant must be at least sixty-four (64) years of age and must have been born after March 31, 1943.

(B) The license applies each year for the remainder of the license holder's life.

(C) The license is in lieu of the resident senior yearly license to fish and all other yearly licenses, stamps, or permits to fish for a specific species or by a specific means.

(b) The commission may set license fees to hunt, trap, or fish above the minimum fees established under subsection (a).

SECTION 11. IC 14-22-12-5, AS AMENDED BY P.L.225-2005, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 5. (a) The department may issue a duplicate license to replace a lost license issued to an ~~Indiana resident individual~~ under sections 1 and 4 of this chapter.

(b) A duplicate license under subsection (a) must meet the following conditions:

(1) Be signed by the applicant.

C
o
p
y



- 1 (2) Be accompanied by a fee established by the commission.

**c
o
p
y**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred House Bill 1121, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 14-8-2-103 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 103. (a) "Foundation" refers to the Indiana natural resources foundation.

(b) For purposes of IC 14-20-1, "foundation" refers to:

- (1) the Indiana state museum foundation; or
- (2) another nonprofit organization established to promote:
 - (A) interest in; and
 - (B) the use of;

the Indiana state museum system.

SECTION 2. IC 14-20-1-1.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 1.5. (a) The state museum development fund is established for the purpose of promoting interest in and use of the Indiana state museum.

(b) The state museum development fund shall be administered by the department **or an entity designated by the department**. The state museum development fund consists of revenue generated by exhibit fees, concessions, donations, grants, and other miscellaneous revenue. Money in the state museum development fund at the end of a state fiscal year does not revert to the state general fund.

(c) The balance of the state museum development fund is continuously appropriated and may be used at the request of the department with the approval of the budget agency after review by the

SECTION 3. IC 14-20-1-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 2.5. As used in this chapter, "foundation" refers to:

- (1) the Indiana state museum foundation; or
- (2) another nonprofit organization established to promote:
 - (A) interest in; and
 - (B) the use of;

the Indiana state museum system.

SECTION 4. IC 14-20-1-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 8. (a) The division consists of the following two (2) sections:

- (1) The section of museums.
- (2) The section of historic sites.

EH 1121—LS 6889/DI 77+



C
o
p
y

~~(b)~~ The division director may not serve as the head of a section of the division.

~~(c)~~ An individual may not serve as the head of more than one ~~(1)~~ section of the division.

~~(d)~~ **(b)** There must be a separate line item for each section of the division in each bill appropriating money to the division."

Page 2, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 6. IC 14-20-1-26 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: **Sec. 26. (a) The department may, by contract, delegate the management of the:**

- (1) Indiana state museum;**
- (2) state museum development fund; or**
- (3) historic sites property held and managed by the department;**

to the foundation under terms the department considers advisable.

(b) Under a contract entered into under subsection (a), the department may:

- (1) provide office facilities and administrative support to the foundation;**
- (2) assign department employees to administrative and program duties at the state museum;**
- (3) act in an advisory capacity for the foundation; and**
- (4) accept donations on behalf of the foundation."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1121 as introduced.)

BISCHOFF, Chair

Committee Vote: yeas 11, nays 0.

C
O
P
Y



COMMITTEE REPORT

Madam President: The Senate Committee on Natural Resources, to which was referred House Bill No. 1121, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1121 as printed January 18, 2008.)

JACKMAN, Chairperson

Committee Vote: Yeas 6, Nays 0.

 SENATE MOTION

Madam President: I move that Senator Lanane be added as cosponsor of Engrossed House Bill 1121.

JACKMAN

 SENATE MOTION

Madam President: I move that Engrossed House Bill 1121 be amended to read as follows:

Page 1, between lines 9 and 10, begin a new paragraph and insert:

"SECTION 2. IC 14-9-5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 3. Money in a fund does not revert to the state general fund at the end of a state fiscal year. until the fund contains fifty thousand dollars (\$50,000). Any amount greater than fifty thousand dollars (\$50,000) reverts to the state general fund at the end of each state fiscal year.

SECTION 3. IC 14-9-5-4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 4. (a) As used in this section, "account" means the Indiana sportsmen's benevolence account established by subsection (b).

(b) The Indiana sportsmen's benevolence account is established within the fund for the division of law enforcement to encourage citizen participation in feeding the state's hungry through donations of wild game that has been lawfully hunted.

(c) The account consists of:

(1) gifts;

EH 1121—LS 6889/DI 77+



C
o
p
y

- (2) donations; and
- (3) proceeds derived from marketing by the division of law enforcement of goods related to the feeding of the state's hungry through donations of wild game under subsection (a).
- (d) The expenses of administering the account shall be paid from money in the account.
- (e) The division of law enforcement shall:
 - (1) conduct a publicity campaign relating to feeding the state's hungry through donations of wild game;
 - (2) coordinate with nonprofit entities and other entities created with goals of feeding the state's hungry; and
 - (3) engage in any other activities to further the goals of this section.
- (f) The treasurer of state shall invest the money in the account not currently needed to meet the obligations of the account in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the account."

Page 2, line 5, after "by the" insert "budget committee."

Renumber all SECTIONS consecutively.

(Reference is to EHB 1121 as printed February 12, 2008.)

JACKMAN

C
O
P
Y

